

Deficiency Status Report 3 **(with Cal/EPA responses)**

August 12, 2007

CUPA Name: Fremont Fire Department

Evaluation Date: November 16, 2006

Next Status Report Due: August 13, 2007

State Evaluation Team:

Cal/EPA Team Leader: Kareem Taylor

Based on the CUPA's corrective action responses, the following deficiency is considered corrected and no further updates are required: 3

The following deficiencies are still in progress and an update of the progress towards correction should be provided in the next status report. Please provide any requested documentation.

Deficiencies and Corrective Actions

- 1. Deficiency:** On the Annual Enforcement Summary Report (Summary Report 4) for fiscal year (FY) 05/06, the CUPA did not adequately report the number of facilities with violation types and informal enforcement actions for each program element.

Preliminary Corrective Action: By September 30, 2007, correctly report the following information into the FY 06/07 Annual Enforcement Summary Report.

CUPA Corrective Action #1: CUPA DMS program updates are due out and we intend to upgrade to version 5.5 when it is available. We anticipate that this will help on report 4.

Cal/EPA's 1st Response: This is a good initial step towards correction of this deficiency. On the next status report, update Cal/EPA on the status of this deficiency.

CUPA Corrective Action #2: CUPA DMS status remains unchanged, though we are reviewing Decade and mTRAK software options, as well as our planned upgrade.

Cal/EPA's 2nd Response: On the next status report, update Cal/EPA on the status of this deficiency.

CUPA Corrective Action #3: CUPA DMS program was recently (7/23/07) upgraded to version 6.0. This version contains several changes that we believe will help with report 4. Specifically: inspections and violations changed to be more specific vs. other not regulated; violations are updated across the programs to have violation codes the same; violations due report fixed so it no longer includes inactive facilities. A copy of the CUPA DMS 6.0, Summary of Changes, document is attached and we will include another reference copy in our upcoming 2007 annual report and self-audit.

2. **Deficiency:** The CUPA is not following up on minor and Class II violations identified in some of the inspection reports reviewed.

Preliminary Corrective Action: By November 16, 2007, review the inspection reports created by past inspectors no longer with Fremont Fire Department and follow-up on all facilities with identified violations that have not RTC.

CUPA Corrective Action #1: We identified approximately 40 facilities that did not receive timely follow-up inspections. These received a higher inspection priority and plan to be caught up by summer 2007.

Cal/EPA's 1st Response: This is a good initial step towards correction of this deficiency. On the next status report, update Cal/EPA on the status of this deficiency.

CUPA Corrective Action #2: We are down to 13 of the original 40 facilities that did not receive timely follow-up inspections. These received a higher inspection priority and we still plan to be caught up by summer 2007.

Cal/EPA's 2nd Response: Cal/EPA appreciates the CUPA's proactive approach in following up on the backlog of facilities with violations. Along with the next status report, submit inspection reports from at least 2 of the 40 previously backlogged facility files that contain either reinspection reports or the RTC documentation.

CUPA Corrective Action #3: We have re-inspected all of the original 40 facilities and have included, for your review, 2 of the completed inspection reports.

3. **Deficiency:** The CUPA has not developed four written procedures required for the administration of the Unified Program. The four administrative procedures are Public Participation, Unified Program Meetings, Self-Auditing, and Reporting.

Preliminary Corrective Action: By February 16, 2007, develop administrative procedures for Public Participation, Unified Program Meetings, Self-Auditing, and Reporting.

Information Request: Please submit a copy of the four written procedures by email along with the status report.

CUPA Corrective Action #1: Completed using the templates CalEPA provided.

Cal/EPA's 1st Response: The documentation received is adequate to correct this deficiency.